



Attorney Docket No. 066079-5088-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	
	)	
Inventors: Helen Ava OSHAUGHNESSY et al.	)	
	)	
Appln. No. 10/521,441	)	Group Art Unit: 1755
	)	
Filed: January 14, 2005	)	Examiner: Klemanski
	)	
For: DISAZO DYES AND INK JET INKS	)	
CONTAINING THEM	)	

**RESPONSE TO OFFICE ACTION**

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Customer Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Office Action of March 27, 2006, reconsideration of this application is respectfully requested.

The Examiner has rejected the applicants' claims 1-7, i.e. all of the claims in the case, under Section 103(a) as unpatentable over Gregory et al. (U.S. 5,374,301). With respect, it is submitted that the compounds, compositions and uses defined by claims 1-7 are not in any sense obvious from Gregory et al.

The unobviousness of the applicants' invention is evidenced by the fact that to reach the applicants' compositions from the Gregory et al. disclosure, a substantial number of selections and changes would be needed in the Gregory et al. compounds. There is clearly no teaching, suggestion or motivation in Gregory et al. to make the required combination of selections and changes to reach the applicants' compounds and compositions.

More specifically, it is noted that one would need to do the following with respect to Gregory et al. Formula (1) to reach the applicants' dye:

- (1) select Ar and Ar<sup>1</sup> to be different from each other;
- (2) select Ar to be a sulphonaphthalene group, despite none of the examples in Gregory et al. containing such a group;

AF  
CFW



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In re Patent Application of: )

Inventors: Helen Ava OSHAUGHNESSY et al. )

Application No.: 10/521,441 )

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For: DISAZO DYES AND INK JET INKS )  
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Group Art Unit: 1755

Examiner: Klemanski, H.G.

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Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is a Response to the Office Action dated March 27, 2006 in the above-referenced application.

2. Additional Documents

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00

Extension of time fee due with this request: \$\_\_\_\_\_.

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus	20		x \$50 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))		minus	3	2	x \$200 each=	+ \$0
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0
SUB-TOTAL =						\$0
Reduction by 2 for filing by a small entity						- \$0
TOTAL FEE =						\$0

5. Fee Payment

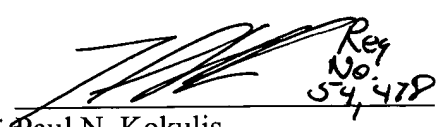
[ ] The Commissioner is hereby authorized to charge \$\_\_\_\_\_ to Deposit Account 50-0310.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: June 27, 2006

By:   
for Paul N. Kokulis  
Reg. No. 16,773

CUSTOMER NO. 09629  
MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
202-739-3000